

Injunction Against D.A. Won

Garrison Is Ordered to Stop Prosecution

Television investigator Walter Sheridan and former New Orleans television newsman Richard Townley won a U.S. appeals court decision Wednesday against District Attorney Jim Garrison.

The U.S. Fifth Circuit Court of Appeals ruled that Sheridan and Townley are entitled to an injunction stopping Garrison from prosecuting them in Louisiana Criminal District Court on bribery charges.

The two men alleged that their constitutional right of free speech was threatened by the pending state charges.

U.S. District Court Judge Alvin B. Rubin had ruled that the state could proceed in its prosecution. Sheridan and Townley appealed that ruling.

Sheridan, an investigator for the National Broadcasting Co. and Townley, formerly a reporter for WDSU-TV, were charged in July, 1967 with bribery.

Sheridan was accused of bribing one witness and Townley, with bribing and intimidating three witnesses.

This was following a June 19 network television program critical of Garrison's John F. Kennedy assassination probe.

JUDGES' STATEMENT

The three judge panel stated:

"Appellants have alleged facts that, if proved, could entitle them to relief under these cases.

"They offer to show that the prosecution is entirely without basis, that it is the product of personal rancor of the district attorney against them, that it is brought against them because of their activities, and that the district attorney knows the prosecution to be without basis and has suppressed evidence tending to show the charges false.

"In summation of these facts, they allege that the district attorney has brought the prosecution in bad faith.

"They also allege, and offer affidavits to prove, that their own coverage of the district attorney's investigation, as well

as that of other major news sources with national circulation, will be inhibited by the prosecution of this suit.

IMPORTANT ISSUE

"The investigation, as appellants point out, raises questions of great public moment about an event of worldwide significance and casts doubt on the integrity of such important persons and agencies as the former Chief Justice of the United States, the Central Intelligence

Agency and the Federal Bureau of Investigation.

"By these factual allegations, appellants have offered to show a significant chilling effect on speech sufficient to cause irreparable injury if a bad-faith suit is prosecuted.

"We recognize that appellants will have difficulty in proving these allegations, but they are well pleaded and sworn, and on motion for summary judgment we must accept them as true."